

**BEFORE THE STATE ETHICS COMMISSION
STATE OF GEORGIA**

In the matter of:

OLIVIA MONETTE JONES

Respondent.

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2005-0027

FINAL ORDER

Following proper notice pursuant to the Administrative Procedure Act, the above-styled matter came before the State Ethics Commission on February 23, 2006. The hearing was held to determine if Respondent violated O.C.G.A. § 21-5-34 by failing to file timely campaign contribution disclosure reports. After consideration of the record in this matter, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1.

The Respondent was a candidate for the office of Georgia Senate District 40 and Georgia Senate District 42 at all times relevant to the matters asserted herein.

2.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 40 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending September 30, 2002. The Respondent failed to timely file these reports because she filed the original report on or about February 3, 2005, and the copy on or about November 3, 2002.

3.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 40 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending October 25, 2002. The Respondent failed to timely file these reports because she filed the original report on or about February 3, 2005, and the copy on or about November 13, 2002.

4.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 40 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending December 31, 2002. The Respondent failed to timely file these reports because she filed the original report on or about February 3, 2005, and the copy on or about February 1, 2005.

5.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 42 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending June 30, 2004. The Respondent failed to timely file these reports because she filed the reports on or about February 3, 2005.

6.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 42 with the Secretary of State and to file a copy of

the Report with the DeKalb County Election Superintendent for the period ending September 30, 2004. The Respondent failed to timely file these reports because she filed the reports on or about February 3, 2005.

7.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 42 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending October 25, 2004. The Respondent failed to timely file these reports because she filed the reports on or about February 3, 2005.

8.

The Respondent was required to file an original Campaign Contribution Disclosure Report for Senate District 42 with the Secretary of State and to file a copy of the Report with the DeKalb County Election Superintendent for the period ending December 31, 2004. The Respondent failed to timely file these reports because she filed the reports on or about February 3, 2005.

CONCLUSIONS OF LAW

9.

“Candidates . . . shall file campaign contribution disclosure reports. . . [i]n each year in which the candidate qualifies to run for public office [o]n March 31, June 30, September 30, October 25, and December 31.” O.C.G.A. § 21-5-34(c)(2)(A).

10.

“In addition to other penalties . . . , an additional filing fee of \$ 25.00 shall be imposed for each report that is filed late. In addition, a filing fee of \$ 50.00 shall be

imposed on the fifteenth day after the due date if the report has still not been filed.”

O.C.G.A. § 21-5-34(l).

11.

As the facts presented to the Commission demonstrated, Respondent failed to timely file all the campaign disclosure reports at issue in this case.

12.

The Commission finds that Respondent violated O.C.G.A. § 21-5-34 due to her untimely filing.

13.

The Commission further finds that late fees in the amount of \$75.00 per late report are required to be imposed by the Ethics in Government Act. *See* O.C.G.A. § 21-5-34.

FOR THE FOREGOING REASONS, the Commission hereby concludes:

- 1) that the Respondent violated the Ethics in Government Act by failing to timely file Campaign Contribution Disclosure Reports during her campaign for Senate District 40 in 2002 and her campaign for Senate District 42 in 2004;
- 2) that the Respondent is ordered to cease and desist from any and all violations of the Ethics in Government Act and to comply with all the provisions thereof;
- 3) that the Respondent is ordered to pay \$1,050.00 in late fees for her failure to timely file Campaign Contribution Disclosure Reports;

- 4) that the Respondent is ordered to pay a \$400.00 civil penalty from personal funds and not from campaign funds or government funds for her failure to timely file her Campaign Contribution Disclosure Reports; and
- 5) Respondent will be required to pay \$100.00 per month towards the late fees and civil penalty, beginning May 1, 2006, and continuing until the entire amount of \$1,450.00 has been paid.

If the Respondent so chooses, she may appeal the findings of the State Ethics Commission within thirty (30) days of receipt of this written Order by following the procedures outlined in O.C.G.A. § 50-13-19.

SO ORDERED, this 30th day of March, 2006, *nunc pro tunc* to February 23, 2006.

STATE ETHICS COMMISSION

BY:


STEVE FARROW

Chairman

State Ethics Commission